

REMARKS

An abstract is being provided as required.

The specification has been amended to more accurately recite the spatial relationship of the guide elements, in order to provide specific antecedent basis for language in newly submitted claims. Basis for the amendment is clearly shown in the drawings.

Claim 8 has been amended to define more clearly over the art of record. The recitation of a shaft has been deleted as unnecessary to define over the prior art. Claims 9-12 have been amended for clarity and consistency.

Claims 8 and 9 stand rejected under 35 USC 102 as being anticipated by Loiodice EP 0686594. To the extent that this rejection would be applied to claims as presently amended, it is traversed for the reasons following.

Loiodice discloses lift-car guides 14 and counterweight guides 16 in a single plane (col. 3, lines 21-25). This renders Loiodice's lift system self-loading and is central to his teaching. As such there can be no suggestion to place the guides 14 and the guides 16 in spaced apart parallel planes as now recited in applicant's claim 1. Accordingly this reference neither anticipates applicant's claims nor renders them obvious.

Claims 8 and 10 stand rejected under 35 USC 102 as being anticipated by Olsen U.S. 4,664,230; this too is traversed.

As shown in Figure 3, Olsen discloses inner guide channel 35 for the counterweight 68, and outer guide channels 35 for the carriage 56. Once again the inner guide channels and the outer guide channels are all coplanar; there is no suggestion having the pairs in

separate planes. On the contrary, the H-shaped sections are fastened directly to the wall of the shaft and cannot be in spaced apart planes. Olsen is further distinguished by disclosing a chain drive, whereas applicant's claims recite a cable.

Claims 8, 10, 12 and 15 stand rejected under 35 USC 102 as being obvious over Olsen in view of Lane U.S. This too is traversed.

Lane relates to a cable drum type elevator which operates without a counterweight. As such there is only a first set of rails. There can be no suggestion of a set of guide rails for a counterweight, much less a second set of rails in a second plane spaced from the first plane. As such Lane adds nothing to render claim 8 obvious.

Since claim 8 as presently amended is patentably distinguishable from the art of record, it should not be necessary to address the rejections of dependent claims. However, it is worth noting that both Olsen and Lane relate strictly to an elevator drive at the top of the shaft; there is no suggestion of any arrangement whereby the car or cage can move vertically past the drive machinery. As such additional shaft height is necessary. Loiodice discloses a drive arrangement which can be passed vertically by the car, but (due to the counterweight moving between the coplanar rails) must locate the drive machinery outside the shaft (Fig. 4).

Only applicant discloses and claims a system employing rails in two parallel planes with the drive machinery arranged therebetween and the elevator supported so that it can vertically pass the drive machinery. Thus everything can be installed in the elevator shaft without a machine room at the top.

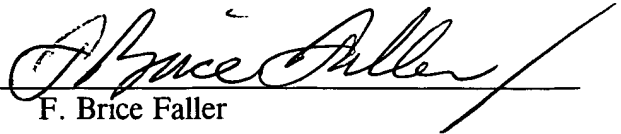
The claims as amended and newly submitted being clearly patentable over the art of record, withdrawal of the rejections and early allowance are earnestly solicited.

It is believed that no fees or charges are required at this time in connection with the present application; however, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

COHEN, PONTANI, LIEBERMAN & PAVANE

By

A handwritten signature in cursive script, appearing to read "F. Brice Faller", written over a horizontal line.

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IN THE CLAIMS:

8. (Amended) A cable elevator, comprising: [a shaft;] first parallel guides arranged [in the shaft] in a first vertical plane; second parallel guides arranged [in the shaft] in a second vertical plane parallel to and spaced from the first [sides] vertical plane; a cage movably arranged on the first guides; a counterweight movably arranged on the second guides; an engine mount fastened to the [guide rails of the cage] first guides and to the [guide rails of the counterweight] second guides; and a drive engine arranged on the engine mount.

9. (Amended) A cable elevator according to claim 8, wherein the [guide rails of the cage] first guides are connected to and extend upwardly beyond the engine mount.

10. (Amended) A cable elevator according to claim 8, wherein the second guides [for the counterweight] are connected with the engine mount so as to end within it.

11. (Amended) A cable elevator according to claim 8, wherein the drive engine includes a drive pulley, [and] said elevator further comprising support cables that lead from the drive pulley directly to a support cable fastening point at an underside of the cage and directly to an upper side of the counterweight.

12. (Amended) A cable elevator according to [clam] claim 8, [and] further comprising means for connecting the engine mount with the guides of the cage and the guides of the counterweight in a vibration-damped manner.